

SHUSTAK JALIL & HELLER

A PROFESSIONAL CORPORATION

400 PARK AVENUE

NEW YORK, NEW YORK 10022-4406

TELEPHONE: (212) 688-5900

FACSIMILE: (212) 688-6151

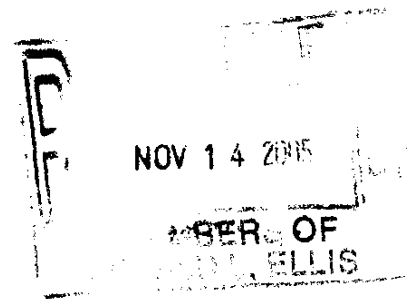
401 WEST "A" STREET

SUITE 2330

SAN DIEGO, CA 92101

TELEPHONE: (619) 696-9500

FACSIMILE: (619) 615-5290



Please Reply To:
NEW YORK OFFICE
voicemail, ext. 230
e-mail: susans@shufirm.com

email@shufirm.com
www.shufirm.com

November 11, 2005

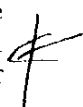
VIA UPS NEXT BUSINESS DAY DELIVERY

The Honorable Ronald L. Ellis
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1970
New York, NY 10007

Re: Merit Capital Group, LLC v.
Trio Industries Management, LLC et al
Case No. 04 CIV 7690 (RCC)

Dear Judge Ellis:

This firm represents defendants and third party plaintiffs in the above action.

On behalf of all parties, pursuant to Rule 1(E) of Your Honor's Individual Practices, I am writing to respectfully request a further extension of the parties' deadline to complete depositions presently due November 14, 2005. Counsel for all parties have conferred and jointly request an extension to December 30, 2005. 

The parties currently have been actively engaged in settlement negotiations. This request for an extension is not made for purposes of delay, but to permit the parties to engage in meaningful settlement negotiations and pursue the possibility of settlement without the added burden and expense of concurrently engaging in depositions.

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Depositions are the only remaining discovery item to be completed. The discovery deadline has been extended upon consent of the parties and the Court three times over the course of the last several months due to various reasons as outlined more fully in the previous letters of counsel.

We appreciate Your Honor's kind attention and consideration of this matter and respectfully ask that this extension be granted.

Respectfully submitted,


Susan C. Stanley

cc: Marc R. Rosen, Esq. (via email at MRosen@gskny.com)
Imtiaz Siddiqui, Esq.

Granted.
SO ORDERED
Ronald L. Ellis 11-28-05
HONORABLE RONALD L. ELLIS